

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41798 of 2022

Arising Out of PS. Case No.-236 Year-2022 Thana- SARAIYA District- Muzaffarpur

SANJAY RAI Son of Late Ram Sogarath Rai @ Ram Swarth Rai Resident of
Village - Jhakara, Shekh, P.s.- Karaj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Saraiya (Jaitpur O.P.) P.S. Case No. 236 of 2022 lodged under
Sections 272, 273/34 of Indian Penal Code and Section 30 (c) of
Bihar Prohibition & Excise Act.

As per the prosecution case, the total recovery of 45
litres of foreign liquor has been recovered from a car. The police
apprehended two persons from the car. The police has lodged
FIR against two persons in which the name of petitioner has not
been figured.

Learned counsel for the petitioner submits that the
present case has not been filed against the petitioner rather his
name has figured subsequently in this case during investigation
by virtue of the confessional statement of other accused persons
who are not named in this case. He submits that petitioner is in



custody since 26.04.2022. Charge-sheet has already been filed in this case. On the point of criminal antecedent, he submits that there is not a single case of Excise matter pending against the petitioner but he is an accused in other types of case only in one in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court- II, Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 236 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Aditi/-

U		T	
---	--	---	--

